

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CARBON FIBERS FORMED FROM SINGLE-WALL CARBON NANOTUBES

the specification of which: is attached hereto.

was filed on: September 3, 1999

as Application No.: 09/380,545

and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

Prior Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/040,152	03/07/97
60/055,037	08/08/97
60/063,675	10/29/97
60/064,531	11/05/97
60/067,325	12/05/97
60/047,854	05/29/97

Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
08/687,665	07/26/96	Pending

And I hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

Rodger L. Tate, Registration No. 27,399; Scott F. Partridge, Registration No. 28,142; Jerry W. Mills, Registration No. 23,005; Robert Neuner, Registration No. 24,316; James Remenick, Registration No. 36,902; James B. Arpin, Registration No. 33,470; Laurence H. Posorske, Registration No. 34,698; Floyd B. Chapman, Registration No. 40,555; Robert A. King, Registration No. 42,738; William F. Nixon, Registration No. 44,262; Andrew D. Skale, Registration No. 44,338; Robert L. Troike, Registration No. 24,183; Jay M. Cantor, Registration No. 19,906; and Jay B. Johnson, Registration No. 38,193.

All correspondence and telephone communications should be addressed to: Laurence H. Posorske, Esq., **Baker & Botts, L.L.P., The Warner, 1299 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2400**, telephone number (202) 639-7700, facsimile number (202) 639-7890, which is also the address, telephone and facsimile numbers of each of the above listed attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature


Date Nov 8, 1899Full Name of
First Inventor:SMALLEY
(Family Name)Richard
(First Given Name)E.
(Second Given Name)

Citizenship: USA

Residence: 1816 Bolsover, Houston, TX 77005

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Signature

Date 11-4-99

Full Name of

Second Inventor: COLBERT
(Family Name)Daniel
(First Given Name)T.
(Second Given Name)

Citizenship: USA

Residence: 1911 Milford Street, Houston, TX 77098

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Address: Same as above

Signature

Date _____

Full Name of
Third Inventor:DAI
(Family Name)Hongjie
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086

Post Office
Address: Same as above

Signature

Date _____

Full Name of
Fourth Inventor:LIU
(Family Name)Jie
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 5825 Gulfton #3214, Houston, TX 77081

Post Office
Address: Same as above

Signature

Date _____

Full Name of
Fifth Inventor:RINZLER
(Family Name)Andrew
(First Given Name)G.
(Second Given Name)

Citizenship: USA

Residence: 6666 Chetwood, Apartment 171, Houston, TX 77081

Post Office
Address: Same as above

Signature

Date _____

Full Name of
Sixth Inventor:HAFNER
(Family Name)Jason
(First Given Name)H.
(Second Given Name)

Citizenship: USA

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D. J. ClarkDate 11-4-99

Full Name of

Second Inventor: COLBERT
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(Second Given Name)

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Signature

Hongjie DaiDate 11/17/99Full Name of
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(Second Given Name)

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Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086

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Address: Same as above

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Date _____

Full Name of
Fourth Inventor:LIU
(Family Name)Jie
(First Given Name)

(Second Given Name)

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Residence: 5825 Gulfton #3214, Houston, TX 77081

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Date _____

Full Name of
Fifth Inventor:RINZLER
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(First Given Name)G.
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Address: Same as above

Signature

Date _____

Full Name of
Sixth Inventor:HAFNER
(Family Name)Jason
(First Given Name)H.
(Second Given Name)

Citizenship: USA

Signature

Date 11-4-99

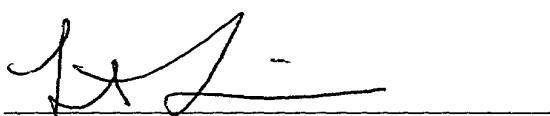
Full Name of
Second Inventor: COLBERT
(Family Name) Daniel
(First Given Name) T.
Citizenship: USA
Residence: 1911 Milford Street, Houston, TX 77098
Post Office
Address: Same as above

Signature



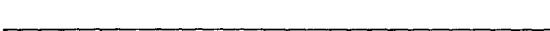
Date _____

Full Name of
Third Inventor: DAI
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Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086
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Date 11/15/1999

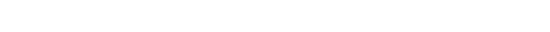
Signature

Full Name of
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Date _____

Full Name of
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Date _____

Full Name of
Sixth Inventor: HAFNER
(Family Name) Jason
(First Given Name) H.
Citizenship: USA
Residence: Same as above

Signature _____ Date _____

Full Name of Second Inventor: COLBERT
 (Family Name) Daniel T.
 (First Given Name) (Second Given Name)

Citizenship: USA

Residence: 1911 Milford Street, Houston, TX 77098

Post Office Address: Same as above

Signature _____ Date _____

Full Name of Third Inventor: DAI Hongjie
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: CHINA

Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086

Post Office Address: Same as above

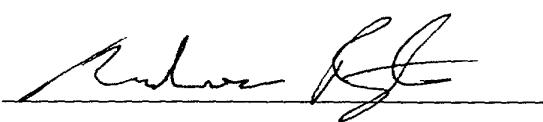
Signature _____ Date _____

Full Name of Fourth Inventor: LIU Jie
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: CHINA

Residence: 5825 Gulfton #3214, Houston, TX 77081

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Signature  Date 11/27/99

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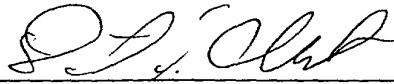
Signature _____ Date _____

Full Name of Sixth Inventor: HAFNER Jason H.
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Citizenship: USA

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Signature

Date 11-4-99

Full Name of

Second Inventor: COLBERT
(Family Name)Daniel
(First Given Name)T.
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Citizenship: USA

Residence: 1911 Milford Street, Houston, TX 77098

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Date _____

Full Name of
Third Inventor:DAI
(Family Name)Hongjie
(First Given Name)

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Citizenship: CHINA

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Address: Same as above

Signature



Date _____

Full Name of
Fourth Inventor:LIU
(Family Name)Jie
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 5825 Gulfton #3214, Houston, TX 77081

Post Office
Address: Same as above

Signature



Date _____

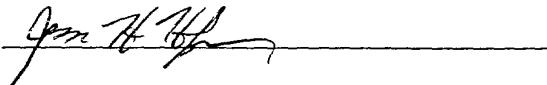
Full Name of
Fifth Inventor:RINZLER
(Family Name)Andrew
(First Given Name)G.
(Second Given Name)

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Residence: 6666 Chetwood, Apartment 171, Houston, TX 77081

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Date 11-18-99Full Name of
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(Family Name)Jason
(First Given Name)H.
(Second Given Name)

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 Post Office Address: Same as above

Signature J.S.R. Date 11.4.99

Full Name of Seventh Inventor: SMITH Ken
 (Family Name) (First Given Name) (Second Given Name)

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Residence: 17431 Fairway Oaks, Spring, TX 77379

Post Office Address: P.O. Box 11049, Spring, TX 77391-1049

Signature J.S.R. Date _____

Full Name of Eighth Inventor: GUO Ting
 (Family Name) (First Given Name) (Second Given Name)

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Post Office Address: Same as above

Signature J.S.R. Date 11.8.99

Full Name of Ninth Inventor: NIKOLAEV Pavel
 (Family Name) (First Given Name) (Second Given Name)

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12/20/99 07:15

DEC 16 1999 16:25 PP BAKER & BOTTS

TO 02092#023760875# P.05/08

Attorney Docket No. 002376.0875

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Full Name of Seventh Inventor: SMITH Ken
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Date 12/20/99

Signature

Full Name of Eighth Inventor: GUO Ting
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Signature _____ Date _____

Full Name of Ninth Inventor: NIKOLAEV Pavel
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Post Office Address: Same as above

Signature _____ Date _____

Full Name of Tenth Inventor: THESS Andreas
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Signature JKRDate 11.4.99

Full Name of
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Signature JES

Date _____

Full Name of
Eighth Inventor: GUO Ting
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Signature HHLDate 11.8.99

Full Name of
Ninth Inventor: NIKOLAEV Pavel
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Citizenship: RUSSIA

Residence: 2232 1/2 Troon, Houston, TX 77019

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Address: Same as above

Signature Andreas TBDate Nov 17, 1999

Full Name of
Tenth Inventor: THESS Andreas
(Family Name) (First Given Name) (Second Given Name)

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Post Office
Address: Same as above

ATTORNEY DOCKET NO.
11321-P012WOUS

PATENT
Application No. 09/380,545

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:
Smalley et al.

Serial No.: 09/380,545

Filing Date: Dec. 22, 1999

For: **CARBON FIBERS FORMED
FROM SINGLE-WALL
CARBON NANOTUBES**

Examiner: Not Yet Assigned

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

REVOCATION AND SUBSTITUTION OF POWER OF ATTORNEY

William Marsh Rice University, the Assignee for the above-referenced patent application, pursuant to an Assignment document which was recorded in the United States Patent and Trademark Office on December 22, 1999, under Reel No. 010644 and Frame No. 0517, hereby revokes any and all prior Powers of Attorney executed in connection with the above-identified patent application, and hereby appoints:

Hugh R. Kress, Reg. 36,574
Dwayne L. Mason, Reg. No. 38,959
Robert C. Shaddox, Reg. No. 34,011

all of the firm of Winstead Sechrest & Minick, P.C., as our attorneys with full power of substitution and revocation, to prosecute said application and any continuations or divisions thereof, and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty.

**CERTIFICATE OF FACSIMILE
TRANSMISSION**

I hereby certify that this paper for Application, Registration and/or the paper identified herein is being facsimile transmitted to the Patent and Trademark Office fax number indicated below on the date indicated below.

Connie Cooke
Signature

CONNIE COOKE
Printed

6-30-00
Date

703/208-7048
Fax No.

ATTORNEY DOCKET NO.
11321-P012WOUS

PATENT
Application No. 09/380,545

-2-

Please send all correspondence, papers and notices for all purposes to the address listed below:

Robert C. Shaddox
WINSTEAD SECHREST & MINICK, P.C.
910 Travis, Suite 2400
Houston, Texas 77002

and direct all telephone calls to Robert C. Shaddox (713) 650-2764. Please also note the attorney docket number: 11321-P012WOUS.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 6/30/00

WILLIAM MARSH RICE UNIVERSITY

By: Joseph J. Davison

Joseph J. Davison

Printed Name

Associate General Counsel

Title

*** TRANSMISSION REPORT ***

JUN-30-00 15:27 ID:7136502400

WINSTEAD SECHREST MINICK

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NAME(ID NUMBER)	7033089759		
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WINSTEAD SECHREST & MINICK
A Professional Corporation | Attorneys & Counselors

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TELECOMMUNICATION TRANSMITTAL

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rshaddox@winstead.com

PLEASE DELIVER TO THE FOLLOWING:	TELEPHONE NUMBER:	FAX NUMBER:
Patent and Trademark Office		703-308-7048

FROM: Robert C. Shaddox

The information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone, and return the original message to us at the above address via the U. S. Postal Service.

DATE: June 30, 2000

TIME IN:

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ATTORNEY #: 1091 CLIENT-MATTER #: 11321-G99999

ADDITIONAL MESSAGE:

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Regular Mail Hand Delivery
Overnight Delivery Other

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Richard E. Smalley et al. § Serial No: 09/380,545

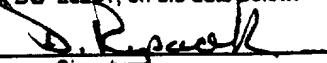
For: CARBON FIBERS FORMED FROM § Filed: September 3, 1999
SINGLE-WALL CARBON § Group Art Unit: 1754
NANOTUBES §

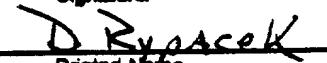
Atty Dkt: 11321-P012WOUS § Examiner: Stuart Henderson
(formerly 002376.0875) § 703.308.2539

CERTIFICATE OF MAILING (37 C.F.R. 1.8)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below.

7-19-01
Date


Signature


Printed Name

Assistant Commissioner for Patents
Washington, DC 20231

SUBSTITUTE POWER OF ATTORNEY

Sir:

William Marsh Rice University, being the assignee of all right, title and interest in and to the above-identified patent application by means of an assignment recorded on December 22, 1999, on Reel 010644, Frame 0517, hereby revokes all powers of attorney previously granted with respect to the present application, and hereby appoints:

Ross S. Garsson, Reg. No. 38,150, Hugh R. Kress, Reg. No. 36,574; Robert C. Shaddox, Reg. No. 34,011; Henry L. Ehrlich, Reg. No. 39,663; and Timothy M. Donoughue, Reg. No. 46,668,

each an attorney with the firm of Winstead Sechrest & Minick, P.C., as its attorneys to prosecute the captioned application, and to transact all business in the Patent and Trademark Office connected therewith.

IN RE APPLICATION S.N. 09/380,545
RICHARD E. SMALLEY ET AL
SUBSTITUTE POWER OF ATTORNEY

Please address all future correspondence to:

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William Marsh Rice University

Date: 7/19/01

Daryl S. Boudreaux
By: Daryl S. Boudreaux
Director, Office of Technology Transfer

HOUSTON_1\504473\1
07/18/2001 - 11321-P012WOUS